



House of Representatives

General Assembly

File No. 619

February Session, 2016

Substitute House Joint Resolution No. 43

House of Representatives, April 14, 2016

The Committee on Judiciary reported through REP. TONG of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute resolution ought to be adopted.

RESOLUTION CONCERNING THE DISPOSITION OF THE CLAIMS OF THE ESTATE OF KEVIN CALES, JOSE COLON, FRANK AND MELINDA DUMOND AND KEN KRAYESKE.

Resolved by this Assembly:

1 Section 1. That the decision of the Claims Commissioner, file
2 number 21824 of said commissioner, ordering the denial of the claim
3 against the state in excess of twenty thousand dollars of the estate of
4 Kevin Cales, is vacated and the claim is remanded to the Claims
5 Commissioner for a hearing on the merits.

6 Sec. 2. That the decision of the Claims Commissioner, file number
7 24198 of said commissioner, ordering the dismissal of the claim against
8 the state in excess of twenty thousand dollars of Jose Colon, is vacated
9 and the claim is remanded to the Claims Commissioner for a hearing
10 on the merits.

11 Sec. 3. That the decision of the Claims Commissioner, file number
12 23894 of said commissioner, ordering the dismissal of the claim against
13 the state in excess of twenty thousand dollars of Frank and Melinda

14 Dumond, is vacated and the claim is remanded to the Claims
15 Commissioner for a hearing on the merits.

16 Sec. 4. (a) That, notwithstanding the failure to file a claim against the
17 state within the time limitations specified by subsection (a) of section
18 4-148 of the general statutes, Kenneth J. Krayeske is authorized
19 pursuant to the provisions of subsection (b) of section 4-148 of the
20 general statutes to present his claim, file number 22750, against the
21 state to the Claims Commissioner. The General Assembly deems such
22 authorization to be just and equitable and finds that such authorization
23 is supported by compelling equitable circumstances and would serve a
24 public purpose and accordingly, in accordance with the provisions of
25 subdivision (4) of subsection (b) of section 4-159 of the general statutes,
26 remands the claim to the Claims Commissioner for a hearing on the
27 merits of such claim.

28 (b) That the state shall be barred from setting up the failure to
29 comply with the provisions of section 4-148 of the general statutes,
30 from denying that notice of the claim was properly and timely given
31 pursuant to section 4-148 of the general statutes and from setting up
32 the fact that the claim had once been considered by the Claims
33 Commissioner, by the General Assembly or in a judicial proceeding as
34 defenses to such claim.

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

| Agency Affected | Fund-Effect | FY 17 \$ | FY 18 \$ |
|--|---------------------|-----------------|-----------------|
| Comptroller - Adjudicated Claims Account | GF - Potential Cost | See Below | See Below |

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill authorizes Kevin Cales, Jose Colon, Frank and Melinda Dumond and Ken Krayereske to present their claims against the state to the Claims Commissioner. The associated fiscal impact depends on the adjudication of the claims.

The Out Years

Based on the timing of when the claim is potentially awarded, and since it would be one-time in nature, there would be no out year fiscal impact.

OLR Bill Analysis

sHJ 43

***RESOLUTION CONCERNING THE DISPOSITION OF THE CLAIMS
OF THE ESTATE OF KEVIN CALES, JOSE COLON, FRANK AND
MELINDA DUMOND AND KEN KRAYESKE.***

SUMMARY:

The Office of Legislative Research does not analyze Resolutions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 45 Nay 0 (03/30/2016)